MT LEGISLATIVE HISTORY

Chapter 655 1985

Bill H 608 S _____ Original bill & hist. ___C

H. Committee on Ed & Cult. Res		S. Committee on Ed & Cult. Res	
Hearing Date(s) 2-13	___C	Hearing Date(s) 3-13	___C
2-15	___C	3-15	___C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out 2-15	___C	3-15	___C
mpt 2-15		mpt 3-15	

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

2/21	REFERRED TO BUSINESS & INDUSTRY		
3/21	HEARING		
3/21	COMMITTEE REPORT-BILL CONCURRED		
3/23	2ND READING CONCURRED	49	0
3/26	3RD READING CONCURRED	48	1
	RETURNED TO HOUSE		
3/28	SIGNED BY SPEAKER		
3/28	SIGNED BY PRESIDENT		
3/28	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 282 EFFECTIVE DATE: 10/01/85		

HB 607 INTRODUCED BY QUILICI, PECK, ET AL.
PRODUCTION INCENTIVE TAX CREDIT TO COAL SEVERANCE TAX
BY REQUEST OF OFFICE OF THE GOVERNOR

2/01	INTRODUCED		
2/01	REFERRED TO TAXATION		
2/02	FISCAL NOTE REQUESTED		
2/08	FISCAL NOTE RECEIVED		
2/14	HEARING		
3/21	COMMITTEE REPORT-BILL PASS AS AMENDED		
3/25	2ND READING PASS AS AMENDED	65	35
3/27	3RD READING PASS	63	37
	TRANSMITTED TO SENATE		
3/28	REFERRED TO TAXATION		
4/11	HEARING		
4/18	COMMITTEE REPORT-BILL CONCURRED		
4/18	2ND READING CONCURRED	33	15
4/19	3RD READING CONCURRED	37	13
	RETURNED TO HOUSE		
4/23	SIGNED BY SPEAKER		
4/23	SIGNED BY PRESIDENT		
4/23	TRANSMITTED TO GOVERNOR		
4/25	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 636 EFFECTIVE DATE: 4/25/85		

HB 608 INTRODUCED BY M. WILLIAMS
MANDATORY APPROVAL FOR TUITION WHEN STUDENT TRANSFERRED ON COURT ORDER

2/01	INTRODUCED		
2/01	REFERRED TO EDUCATION & CULTURAL RESOURCES		
2/13	HEARING		
2/16	COMMITTEE REPORT-BILL DO PASS		
2/18	2ND READING PASS	98	1
2/20	3RD READING PASS	98	0
	TRANSMITTED TO SENATE		
2/22	REFERRED TO EDUCATION & CULTURAL RESOURCES		
3/13	HEARING		
3/18	COMMITTEE REPORT-BILL CONCURRED		
3/21	2ND READING CONCURRED AS AMENDED	48	0
3/23	3RD READING CONCURRED	49	0

RETURNED TO HOUSE WITH AMENDMENTS
4/08 2ND READING AMENDMENTS NOT CONCURRED 94 1
4/09 CONFERENCE COMMITTEE APPOINTED
4/17 CONFERENCE COMMITTEE REPORT

HOUSE
4/18 2ND READING CONFERENCE COMMITTEE REPORT ADOPTED 95 2
4/18 3RD READING CONFERENCE COMMITTEE REPORT ADOPTED 97 2

SENATE
4/18 2ND READING CONFERENCE COMMITTEE REPORT ADOPTED 48 0
4/18 3RD READING CONFERENCE COMMITTEE REPORT ADOPTED 49 0
4/23 SIGNED BY SPEAKER
4/23 SIGNED BY PRESIDENT

4/24 TRANSMITTED TO GOVERNOR
4/30 SIGNED BY GOVERNOR
CHAPTER NUMBER 655 EFFECTIVE DATE: 10/01/85

HB 609 INTRODUCED BY RAMIREZ
DURABLE POWERS OF ATTORNEY

2/01 INTRODUCED
2/01 REFERRED TO JUDICIARY
2/06 HEARING
2/07 COMMITTEE REPORT-BILL DO PASS
2/08 2ND READING PASS 97 0
2/11 3RD READING PASS 98 0

TRANSMITTED TO SENATE
2/12 REFERRED TO JUDICIARY
3/21 HEARING
3/21 COMMITTEE REPORT-BILL CONCURRED
3/23 2ND READING CONCURRED 49 0
3/26 3RD READING CONCURRED 45 5

RETURNED TO HOUSE
3/28 SIGNED BY SPEAKER
3/28 SIGNED BY PRESIDENT

3/28 TRANSMITTED TO GOVERNOR
4/01 SIGNED BY GOVERNOR
CHAPTER NUMBER 283 EFFECTIVE DATE: 10/01/85

HB 610 INTRODUCED BY HARRINGTON, MENAHAN, ET AL.
GAMBLING REGULATION BY SELF-GOVERNING COUNTIES OR CONSOLIDATED GOVERNMENTS

2/01 INTRODUCED
2/01 REFERRED TO BUSINESS & LABOR
DIED IN COMMITTEE

HB 611 INTRODUCED BY DEVLIN, ELLISON, ET AL.
REQUIRING TATTOO ON CERTAIN BEARS, WOLVES, MOUNTAIN LIONS, AND COYOTES

(To be kept current -- post bills when entered, being heard or leaving committee.) Form CS-32

STATUS SHEET

1985 LEGISLATIVE SESSION

HOUSE BILLS

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
432	1-23	2-8	2-8	2-8					
449	1-23		(Not heard at request of sponsor)						
454	1-23	1-28	1-28			1-28			
471	1-25	2-11	2-13			2-13			
480	1-25	2-11	2-13	2-13					
497	1-26	2-13	2-18			2-18			
503	1-26	2-13	2-18		2-18				
534	1-29	2-13	2-15			2-15			
538	1-29	2-15	2-15		2-15	(Referred back to committee 2-18) (TABLED 2-20)			
539	1-29	2-15	2-18			2-18			
549	1-29	2-15	2-18	2-18					
551	1-29	2-11	(TABLED 2-13)			2-20			
556	1-29	2-13	2-18		2-18				
591	1-31	2-20	(TABLED 2-20)						
608	2-1	2-13	2-15	2-15					
626	2-1	2-11		2-13	(Referred back to committee 2-16) 2-20				

Use a separate sheet for Senate House Bills

PROPONENTS: Wayne Buchanan with the Montana School Board Association said that the concern was not eliminating the chance for three levy elections.

Jesse Long with the School Administrators of Montana spoke for the bill with reservations questioning whether the date for nontenure teacher notice was satisfactory. He also suggested consideration be given to other legislation pertaining to changing school election times while looking at this bill.

Representative Ray Peck spoke in favor of the bill as it allows the district to conduct the levy and trustee election at a later date in the year that the legislators are in session. It would save money by taking care of two elections at once. It is permissive in that it gives an option for doing this to local districts.

OPPONENTS: Eric Fever, President of the Montana Education Association spoke against this legislation as it was not necessary and confusing. The bill does not mandate an election in any year and clearly does not mandate a mill levy election in May so there is no certainty. It could cause trustee elections to be of uneven duration. It calls for non-tenured teachers notices to be issued by May 15th which should not be changed. The Board is not required to run its mill levy elections in April. He suggested an amendment that required trustee elections to be held in May every year.

There being no further opponents, Rep. Hannah closed the hearing on this bill by saying that he would not be in opposition to taking out the May 15th teacher notification date, but felt the bill would facilitate district levy and trustee elections.

CONSIDERATION OF H.B. 608: Representative Melvin Williams from District #85 in Yellowstone explained that the bill would mandate tuition application approval when a transfer is a result of a court order. It was requested by the Billings School District and later approved by the School Board Association at their convention.

PROPONENTS: Chip Erdmann with the Montana School Board Association spoke in favor of the bill as the courts failed to make the determination and the sending districts would refuse to pay tuition. There was a loophole and this bill would correct it.

There being no further proponents or opponents, Rep. Williams was asked to make closing remarks. He said the judicial system places foster children or children staying with relatives into a local school system without providing tuition payments. It is a tax burden on the local people.

The hearing on H.B. 608 concluded and the committee moved to executive session. A motion was entertained by Rep. Brandewie that the committee reconsider the action taken on H.B. 324. Rep. Eudaily seconded this motion and a voice vote and show of hands saw nine for and seven against this reconsideration. The bill will again be looked at in the near future.

There was a motion sponsored by Rep. Brandewie to accept all the changes made by the sub-committee and give a DO PASS to the greybill on H.B. 18. Rep. Eudaily seconded this motion, but after discussion it was withdrawn and decided that the committee will study the greybill and will take action on Friday, February 15th.

ACTION ON H.B. 330: Rep. Hammond moved DO PASS to H.B. 330. A substitutde motion of DO NOT PASS was given by Rep. Brandewie and a voice vote showed the motion carried, with Rep. Schye opposing.

ACTION ON H.B. 471: Rep. Hammond moved H.B. 471 DO PASS WITH AMENDMENTS and STATEMENT OF INTENT, Rep. Harbin seconded this motion and the motion carried unanimously by voice. The amendments are as follows:

1. Page 1, line 22.
   Strike: "3,000"
   Insert: "2,000"

2. Page 1, line 23.
   Strike: "3,000"
   Insert: "2,000"

3. Page 3, line 9.
   Following: "superintendent"
   Insert: "or his authorized representative"

4. Page 3, line 13.
   Following: "belonging"
   Insert: ", or his authorized representative,"

5. Page 3, line 14.
   Following: "agent"
   Insert: ", unless otherwise agreed upon by participating districts"

6. Page 4, line 10.
   Following: "board"
   Insert: "or their authorized representatives"

1. Title, lines 6.
   Following: "MAY"
   Strike: remainder of line 6 through "MAY" on line 7

2. Title, line 7.
   Strike: "SECTIONS"
   Insert: SECTION

3. Title, line 8.
   Strike: "AND 20-4-206"

4. Page 1, line 21.
   Strike: "in an odd numbered year, the"
   Insert: "The"

5. Page 2, line 18 through line 19, page 3.
   Strike: section 2 in its entirety

ACTION ON H.B. 538: Rep. Hannah moved H.B. 538 DO NOT PASS. Rep. Thomas seconded the motion which carried by voice vote.

RECONSIDERATION OF H.B. 626: Rep. Kitselman moved that the committee reconsider their action on H.B. 626 which was moved from the committee. Rep. Eudaily seconded the motion and the committee agreed.

ACTION ON H.B. 608: Rep. Eudaily moved DO PASS to this bill and the motion carried unanimously by voice vote.

ACTION ON H.B. 630: Rep. Kitselman moved that H.B. 630 be TABLED. Rep. Hammond seconded this motion. A voice vote showed the motion carried with a show of hands indicating that Representatives Sands, Nisbet, Montayne, and Peck opposed the motion.

ACTION ON H.B. 635: Rep. Hammond moved DO PASS AS AMENDED to H.B. 635. Rep. Kitselman seconded the motion. The amendments, moved by Rep. Peck, are as follows:

1. Page 2, line 24.
   Strike: "75%"
   Insert: "50%"

The amendment motion carried unanimously. Rep. Mercer substituted the amendment motion with a proposal that the it contain "30%" rather than "50%", but he later withdrew this motion. The committee voted by voice on the proposal that H.B. 635 DO PASS AS AMENDED and it carried unanimously.

There being no further business, the meeting adjourned at 7:05 p.m.

DAN HARRINGTON, Chairman

crf

STANDING COMMITTEE REPORT

FEBRUARY 15 19 85

MR. SPEAKER

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE Bill No. 608

FIRST reading copy (WHITE)
color

MANDATORY APPROVAL FOR TUITION WHEN STUDENT TRANSFERRED ON COURT ORDER

Respectfully report as follows: That HOUSE Bill No. 608

DO PASS

DAN HARRINGTON Chairman.

COMMITTEE SECRETARY

STATE PUB. CO.
Helena, Mont.

REPORT LC6[illegible]

MONTANA LEGISLATIVE CO[illegible]IL BILL STATUS SYSTEM
FINAL COMMITTEE REPORT OF REFERRED BILLS
COMMITTEE--(S) EDUCATION & CUL.RES.

PAGE NBR..... [illegible]136
RUN TIME 18:07
RUN DATE.... 04/20/85

CHAIRMAN--BLAYLOCK, CHET
NORMAL SCHEDULE==> SITE: ROOM 402 DAYS: M-W-F TIME: 1:00-3:00 P.M.

SECRETARY-ROHYANS, JILL

--BILL NO---	REFER DT--	HEAR DT---	CONSIDER---	FURTHER CONSIDER---	COMMITTEE ACTION--------	*FISCAL NOTE* ORD'D--	*FISCAL NOTE* REC'D--	REREFERRED TO COMM----	DATE OUT-
HB0412	2/12	3/06	3/06		CONCUR AS AMENDED				~~3/07~~ 3/6
HB0416	2/13	3/08	3/08		CONCUR				~~3/09~~ 3/8
HB0432	2/13	3/11	3/11		CONCUR				~~3/12~~ 3/11
HB0454	2/07	3/08	3/08	3/22	CONCUR				3/22
HB0471	2/21	3/11	3/11	3/22	CONCUR AS AMENDED				3/22
HB0480	2/21	3/11	3/11	3/25	CONCUR				~~3/26~~ 3/25
HB0497	3/04	3/18	3/18	3/25 3/29 3/27	CONCUR AS AMENDED				3/29
HB0534	2/21	3/13	3/13	3/25	TABLED 3/25				
HB0549	2/22	3/13	3/13	3/22	CONCUR				3/22
HB0551	3/04	3/18	3/18	3/25	CONCUR AS AMENDED				3/26
HB0608	2/22	3/13	3/13	3/15	CONCUR				3/18
HB0635	2/22	3/15	3/15		CONCUR				3/18
HB0685	2/22	3/15	3/15		CONCUR				3/18
HB0849	3/05	3/20	3/20	3/27	TABLED 3/27				

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 13, 1985

The 20th meeting of the Senate Education and Cultural Resources Committee was called to order by the Vice Chairman, Senator Dick Pinsoneault, at 1:02 p.m. in Room 402, State Capitol Building.

ROLL CALL: All committee members were present with the exception of of Senator Blaylock who was excused.

CONSIDERATION OF HOUSE BILL 549: REPRESENTATIVE COBB, District 42, sponsor of the bill, said the bill is just a housekeeping bill which clarifies certain laws relating to school district finance and budget procedures. Estimation of the state equalization is no longer done, trustees do not pay insurance premiums from the general fund, all monies are given back to the state, and definition clarification were the reasons given for the changes. The changes simply reflect amendments that have made in other sections of the statutes in past sessions.

PROPONENTS:

BOB STOCKTON, Office of Public Instruction, said the bill was introduced at the request of OPI and simply cleans up language in finance and budget laws.

CHIP ERDMAN, Montana School Boards Association, said his organization is satisfied that the bill is simply a housekeeping measure in keeping with already enacted changes.

There being no further proponents and no opponents, Representative Cobb closed.

CONSIDERATION OF HOUSE BILL 608: REPRESENTATIVE WILLIAMS, District 85, sponsor said the bill requires mandatory approval of a tuition application when an elementary or high school student is transferred from the student's resident district as the result of a court order. His further testimony is attached (Exhibit #1). He noted this is a discretionary option for the districts.

PROPONENTS:

CHIP ERDMAN, Montana School Boards Association, said the bill was approved at the MSBA convention. He said the present statute only applied to abused, neglected, dependent, or delinquent children, however, there are other reasons for children to be transferred to a new district by court order. This ensures the sending district will send the tuition to the receiving district. He noted the exception is in divorce cases which need to be left to the discretion of the court.

JESS LONG, School Administrators of Montana, expressed support for the bill.

There being no further proponents and no opponents to the bill, Representative Williams closed.

CONSIDERATION OF HOUSE BILL 534: REPRESENTATIVE HANNAH, District 86, sponsor, said the bill is the result of meetings with teachers, administrators, and school boards who wanted the flexibility to set back the school district trustee elections from April to May. This would enable the districts to better judge the amount of foundation program funding in order to more accurately set the voted levy amount. Three elections could still be held within the framework of a thirty day leeway.

PROPONENTS:

CHIP ERDMAN, Montana School Boards Association, supported the bill as it gives school boards more time and flexibility in setting trustee elections.

JESS LONG, School Administrators of Montana, expressed support for the bill.

There were no further proponents and no opponents to the bill.

SUE BARTLETT, Lewis and Clark County Clerk and Recorder, rose as a "ponent". She pointed out some potential "ripple effect" problems that could arise if the bill passes. She noted special districts such as fire districts, irrigation districts, and hospital districts piggy back their elections on the trustee election. This saves them quite a bit of money. If the trustee elections were to move to May, the special district elections would still have to be held in April and at a considerable cost. She said the mail ballot bill is working its way through the session and if it passes the special districts could save the cost of the election although the mail ballot is also an expense.

station and is currently forecasting for their whole valley and providing services to local farmers. They also explained their personal projects which included areas such as chemistry, computers, robots, chinese writing and language.

EXECUTIVE SESSION: CONSIDERATION OF HOUSE BILL 534:

The committee considered Senator Pinsoneault's suggestion to amend the bill to reflect consent of the local election administrator.

SENATOR MAZUREK was concerned that the old school board would extend the election date and make decisions that would bind the new board.

SENATOR SMITH feared that greater problems are being created than are being solved.

There was a concern expressed that the 30 day extension would not be very beneficial if it is based on the end of the legislative session. Levy elections are set 20 days prior to the election date which gives hardly any time for session to end and determination of levies to be made.

The committee agreed to take no further action at this time.

ACTION ON HOUSE BILL 608:

SENATOR MAZUREK involved HB 608 BE CONCURRED IN. The motion CARRIED unanimously with Senators Regan and Blaylock absent.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned.

Chet Blaylock
Senator Chet Blaylock, Chairman

jdr

STANDING COMMITTEE REPORT

March 15, 19 85

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE BILL No. 608

third reading copy (blue color)

(Senator Blaylock will carry the bill.)

MANDATORY APPROVAL FOR TUITION WHEN STUDENT TRANSFERRED ON COURT ORDER

Respectfully report as follows: That HOUSE BILL No. 608

BE CONCURRED IN

~~XXXXXX~~

~~DO NOT PASS~~

Senator Chet Blaylock, Chairman.